



KCJIS *NEWSLETTER*

Volume 3: Issue 3; August, 2001

KANSAS WARRANT and BOLO “HOT” FILES NOW OPERATIONAL!

The Kansas warrant and Be On the LOokout files became operational on July 17, 2001! Kansas criminal justice agencies may now enter any warrant in the state file that has not been entered into NCIC. As of July 25, 2001, 15 agencies have entered 523 records into the file. The Haskell County Sheriff's Office was the first agency to enter a record into the file and the Sumner County Communications currently has the most records in the file.

The BOLO file was created to provide a simple way to index and broadcast data previously sent via “administrative” messages. By using the BOLO file instead of sending administrative messages, license plate and vehicle data, as well as individuals, can be indexed and queried, as well as broadcasting the information to other agencies. Information contained within the BOLO file will be retained for 72 hours unless canceled by the entering agency.

In addition to querying NCIC and DMV records, the Kansas Car Stop message key now queries all Kansas “hot” files: warrant, BOLO files, as well as the registered offender file.

NEW KBI CRIMINAL HISTORY SYSTEM INCLUDES DATA MANAGEMENT TOOLS

MEGG Associates, Inc. has been working closely with KBI staff to implement the new Microsoft SQL database for adult and juvenile criminal history records. KBI data processing staff has migrated the adult records database to SQL, and records staff is testing the NetRMS application against repository requirements for data management. The new system is expected to be ready for initial production and final testing by the end of August. When implemented, the system will feature management tools that allow records staff to monitor data quality, as well as notify agencies of missing arrest fingerprint cards and disposition reports.

(See Page 8 Criminal History)

NATIONAL GOVERNORS ASSOCIATION AWARDS CRIMINAL JUSTICE INTEGRATION GRANT TO THE STATE OF KANSAS

On July 20, 2001 Governor Bill Graves was notified that the Kansas would be one of 26 states to receive grant funding through a new program initiated by the National Governors Association and the U.S. Justice Department. Kansas will be receiving \$239,000 to implement a web-based interface between the Kansas Department of Corrections and the KCJIS Web Portal. The grant will also facilitate the sharing of data between KDOC and the central record repository at KBI. Work on the project is expected to start by late August.

(See Page 2, National Gov.)

- Inside This Issue . . .			
District Court Accounting	2	DATAMAXX LINXX Upgrades	3
NLETS News	2	KASPER News	3
ASTRA Upgrades	3	KIBRS Gateway	4
NCIC Entry of PFA's	3	Failure To Appear	4
		Reporting Class C	5
		KBARS & Public Access	5
		PCMS System	5
		KIBRS Participation	5
		KCJIS WEB Portal in News	6
		FAQ's	6

DISTRICT COURT ACCOUNTING & CASE MANAGEMENT SYSTEM

The Office of Judicial Administration (OJA) has contracted with Justice Systems Inc. (JSI), based in Albuquerque, New Mexico, to purchase FullCourt software for the district courts. FullCourt software is installed statewide in Idaho and is used in more than twenty other states.

In November 2000, the court received 13 vendor proposals in response to the Request for Proposal for a new district court accounting and case management system.

A committee composed of clerks, court administrators and judges representing thirteen judicial districts carefully reviewed the proposals and narrowed the field to three finalists. The three finalists then conducted software demonstrations for the committee. The committee also conducted site visits during the review process.

The committee met with JSI in June 2001 to define the software modifications that will be made to meet the needs of the Kansas courts. The vendor will develop a schedule for completion of the modifications. It is anticipated that modifications and software testing will be completed in 3-5 months. The software will then be installed in pilot court locations. The first pilot installation will be Anderson County. The software will again be tested and further modification made, if necessary. The second pilot site will be Morris County with additional software testing and modifications. The third and fourth pilot installations will be in Pottawatomie and Ellis Counties. When all pilot installations have been successfully completed and all software modifications are made, the vendor will be given final acceptance of the software.

It is anticipated that the pilot installations and software modifications will be completed by mid-2002. A statewide implementation plan will be distributed after the courts accept the final version of the software.

The Office of Judicial Administration has received federal funding from the Byrne grant program to help fund the first year costs of the project. The OJA will purchase software licenses and maintenance and support services for each software license for the district courts. Computer hardware costs associated with the implementation and use of the software are the responsibility of each local court. These costs include both the hardware purchase cost and ongoing hardware support costs.

Hardware specifications were distributed to the district courts in April 2001 to assist the courts in preparing for the local budget process. These specifications can assist the courts in determining whether to retain existing computer equipment or purchase new equipment. The courts are encouraged to wait to purchase equipment related to the project until the statewide installation schedule is available. The schedule will be distributed after the four pilot sites are installed and the courts give final acceptance of the software. It is anticipated that statewide implementation will take multiple budget years. District courts with questions about the hardware specifications are encouraged to contact OJA staff at (785) 296-4857.

(Continued from Page 1, National Gov.)

The NGA integration grants are administered through the association's Center for Best Practices and the Office of Justice Programs. The grant program is aimed at funding short-term systems integration projects that support criminal justice data sharing. The Kansas project is a cooperative effort by KDOC and the KBI to provide better access to offender supervision and confinement information. State governance of the project is provided through a nine member planning committee comprised of state and local criminal justice officials. The project is closely linked to other KCJIS initiatives under the direction of the Kansas Criminal Justice Coordinating Council.

NLETS NEWS

Tim Sweeney, long-time Executive Director of NLETS, recently retired. Steve Correll has been hired as the new Executive Director. It is Steve's desire to continue to provide the NLETS users with the ability to share data in a reliable, timely and cost-effective manner. If you have any ideas or suggestions that you would like shared with NLETS, please contact Kansas' NLETS representative, Vicky Harris, at 785-296-8261 or vicky.harris@kbi.state.ks.us.

NLETS maintains a log of all messages that travels through its network. The KBI, as the state's NLETS control terminal agency, has the authority

(See Page 3, NLETS)

(Continued from Page 2, NLETS)

to access this traffic log. Individual users will not have the ability to access this data directly, but will have the ability to request this data through the KBI. Receipt and routing of messages such as rap sheets or fingerprint data are logged but no message content is saved. It is planned that the message keys necessary to provide this access to the KBI will be programmed and functioning by fall of 2001. Procedures for making a request will be forthcoming.

Another exciting message key that NLETS has developed and expects to release shortly, is the "Concealed Weapons Permit Inquiry" (CWQ). States that do maintain a concealed weapons permit file will be able to share the data with other states by use of this key. Kansas does plan to support this query within six months of implementation.

ASTRA WORKSTATION UPGRADES

It's hard to believe, but the KCJIS upgrade of the network to TCP/IP and installation of the "new" equipment, began almost three years ago in October of 1998 and was completed in April 1999! ASTRA mandated agencies were given a personal computer, mini hub, and a copy of the Datamaxx LINXX software. Hardware, such as personal computers may have to be replaced after three years of continuous use. If you have are using a PC that is three years or older, you should make plans and budget for a replacement. It is the agencies' responsibility to replace and maintain any equipment provided by the state.

KANSAS LAW NOW REQUIRES NCIC ENTRY OF PFA ORDERS

As of July 1, 2001 Senate Bill 205 mandates that permanent Protection from Abuse Orders be entered into NCIC.

The bill also states that if the order is a foreign protective order, the sheriff's office shall contact the issuing jurisdiction to verify the order and request the entry of the order into NCIC and other appropriate databases. What does this mean to local law enforcement? If a subject from another states reports to your agency that they have a protection order filed in another state, check NCIC to see if that state has entered the order. If

the order has not been entered, your agency needs to contact the local entity and ask them to make the entry into NCIC. Make sure that your agency keeps any documentation to show that this inquiry was made.

Lastly, the bill states that emergency, temporary and other related orders **may** be entered into the NCIC protection order file. Please keep in mind that there are liability risks when not entering protection orders. If your agency chooses not to enter emergency or temporary orders please discuss the liability issues with your County Attorney. There are currently two states that are in the middle of litigation due to non-entry of protection orders. Also, please keep in mind that the risk for the victim is 75% higher during the emergency and temporary orders.

DATAMAXX LINXX SOFTWARE UPDATE

As most of you know, there were a few problems with the release of the Datamaxx software last May. A patch has been developed to correct the following problems:

- High CPU percentage.
- Logs displaying manual backup message at 81%.
- Removal of \\dmx\dmx directory in the LAN client installations.
- Fixes the GPF's when accessing random message logs to be restored.

The patch is currently being re-tested at the KBI and we hope to release it within the first couple of weeks in August.

KASPER NEWS

The Kansas Adult Supervised Population Electronic Repository (KASPER) achieved some significant milestones over the past few months. For the past few months, KASPER was receiving data from the Kansas Department of Corrections Offender Management Information System (OMIS). This data is stored on an AS/400 server and by using some of the powerful SQL 2000 tools, the OMIS data is now being translated to formats that can be used by KASPER.

(See Page 4, KASPER)

(Continued from Page 3, **KASPER**)

Once the data is translated into KASPER, web portal pages have been developed that enable the user to query the KASPER databases. The prototype portal contains pertinent offender supervision information and development continues to include photographs of the offender when a query is complete.

Another major milestone achieved in early July is the connection of KASPER to the test KCJIS web server. This proof of concept will lead to direct connectivity of KASPER to the KCJIS CCH repository once all of the prerequisite security details have been completed. Direct access to KASPER data will enable the KCJIS web portal to display pertinent information on adult supervised offenders using the KCJIS web site.

Plans are underway to migrate parole and adult community corrections data to the KASPER server. The major obstacle is the lack of a dedicated Total Offender Activity Documentation System (TOADS) server. A dedicated server will enable the developers to migrate to the newer version of software that will provide enhancements that will facilitate integration of TOADS to KASPER. Other plans include connection to probation data stored in the Court Services applications and jail management information maintained by county systems.

As part of the KASPER project, field service technicians are available to assist parole, community corrections, and juvenile intake sites on computer and data communications issues. These professionals have been successful in resolving difficult computer problems, improving data communications, advising key leadership and installing hardware and applications.

KIBRS GATEWAY UPDATE

The Johnson County Sheriff's Office and the Independence Police Department have successfully demonstrated the ability to submit Kansas Incident Based Reporting System (KIBRS) data in accordance with the criteria established by the state program. They joined the Overland Park Police Department as the second and third agencies certified to submit data from a local RMS, not managed by the KCJIS, through the KIBRS Gateway.

The certification criteria comprises standardized procedures to evaluate prospective KIBRS participating law enforcement agencies based on selection

of criteria and guidelines established both by the state program and the Federal Bureau of Investigation's National Incident Based Reporting System (NIBRS). As certified KIBRS participants, these agencies will play a key role in continuing a statewide and nationwide statistical program that will enhance the quantity, quality, and timeliness of crime data collected by the law enforcement community.

To ensure the validity of the data provided, electronic edit checks were applied to all records received. In addition to the computer system edit checks, a manual edit check was completed for data integrity and reasonableness.

In addition twenty-two agencies using the KIBRS Law Enforcement Case Management Application designed by BSE are now submitting data through the KIBRS Gateway. The most recent agencies using the KIBRSLE application to begin submissions are the Montgomery County Sheriff's Office, Lawrence Police Department, Kansas University Police Department, Labette County Sheriff's Office, Ottawa County Sheriff's Office and Stevens County Sheriff's Office.

Congratulations to each of these agencies on achieving this significant milestone. This achievement has advanced the ability of their agencies and the state of Kansas to provide better crime data to the state and the Nation.

"FAILURE TO APPEAR" AND REPORTING WARRANT ARRESTS:

[What's the Difference? and How are they Submitted to the Computerized Criminal History (CCH) Database?]

There has been a continuing issue with reporting arrests that follow from a subject's absence from a court appearance and the subsequent issuance of a bench warrant. Too frequently the Central Repository receives fingerprint cards with "Failure to Appear" as the offense for the second arrest and booking, when the citation should have been "Warrant Arrest." The subject's criminal history then incorrectly shows a "Failure to Appear."

Here's the difference. If the subject is arrested and booked within 30 days of the failed court appearance,

(See Page 5, *The Difference*)

(Continued from Page 4, **The Difference**)

the charge should be "Warrant Arrest; K.S.A. 22-2401." If, however, the subject is not arrested within that 30 days, then the charge of "Failure to Appear; K.S.A. 21-3813" applies when the original offense was a misdemeanor or "Aggravated Failure to Appear; K.S.A. 21-3814" when the original offense was a felony.

Note that these rules apply to reporting arrests, bookings and dispositions for the subject's criminal history record in the Central Repository CCH. These do NOT pertain to reports submitted for KIBRS requirements.

Effective July 1, 2001, class C misdemeanor assault was added to the list of reportable juvenile offenses. Now these offenses must be fingerprinted and submitted to the Juvenile Unit of the KBI Records Section. This change was carried in House Bill 2176.

That legislation "fixed" the difference between reporting juvenile and adult offenses to the Central Repository. With the change, all felonies and class A and B misdemeanors and class C assaults are reportable, without distinction between adult and juvenile status.

KBARS AND PUBLIC ACCESS TO THE CENTRAL REPOSITORY CRIMINAL HISTORY RECORDS

KBARS (the Kansas Browser Abstract Reporting System) is the prototype system for Internet access to name checks in the Central Repository criminal history record database. KBARS has been a successful demonstration of obtaining criminal Rap Sheets on-line and the design and structure have been copied into the new KCJIS Web site. The criminal justice users who have been using KBARS for the past three years will be migrated to the Web site within the next couple of months and KBARS will be disconnected. The transition should be smooth for current criminal justice users and the improvements should be worth the wait.

There is also a select group of non-criminal justice agencies enrolled in KBARS. These agencies have been testing Internet access for non-criminal justice record checks, and their experiences have also been successful. The lessons-learned

from this group of record check customers will be incorporated in the Public Access System (PAS) that is currently under construction. When KBARS is discontinued, PAS will be the successor system for non-criminal justice agency access to on-line Rap Sheets. This new system will be hosted by Information Network Kansas (INK) and will provide full-service access to automated criminal history records in the Central Repository. Design work is scheduled for completion by late summer, with beta testing not later than October.

STATUS OF THE PROSECUTOR CASE MANAGEMENT SYSTEM (PCMS)

The first meeting of the PCMS Users' Group took place on July 26th in Topeka. Prosecutor's offices that have installed PCMS or have scheduled installation are eligible for membership in this group. The primary task of the group is to design the functionality of the enhancements planned for the next version upgrade to the application. The current installed version of PCMS is V1.1, and the upgrade to V2.0 will complete the vendor's (Business Software and Equipment) first contractual obligations to the KCJIS project.

Another day of operator training for PCMS users is scheduled for August 16th at the KHP Training Academy computer laboratory in Salina. Prosecutor's offices have been polled to identify staff for attendance, and most seats are taken (as of press time). However, additional seats may be available. Contact SAC Dave Sim at (785) 296-8265 to coordinate attendance.

WHY SHOULD AN AGENCY PARTICIPATE IN KIBRS?

One of the most frequently heard comments about KIBRS is why should agencies participate? It is just statistics and does nothing for us. There are several valid reasons for participation in KIBRS.

1. Three Kansas Statutes mandate that law enforcement report offense and arrest data to the KBI:

a. K.S.A. 21-2501(a) states that all law enforcement
(See Page 6, **KIBRS**)

(Continued From Page 5, *The Difference*)

agencies will report felony and misdemeanor offenses to the KBI on a form or format approved by the Attorney General.

b. K.S.A. 21-2504 states that the Attorney General may call upon criminal justice agencies for information on crimes in order to determine the true condition of the crime situation in Kansas.

c. K.S.A. 22-2307 specifies that whether an arrest is made or not, a standard offense report shall be completed on all domestic violence incidents and submitted to the KBI.

2. Most federal grants such as Cops More and Byrne Grants link the eligibility of an agency to receive funding to the implementation of a NIBRS compliant records management system. When these grant applications are reviewed the federal agencies note if the agency is NIBRS compliant. Currently agencies in Kansas have not been held to this standard because the state has not been either UCR or NIBRS compliant. However, now that Kansas has been certified as NIBRS compliant this will be taken into consideration when awarding grant funds.

3. KIBRS provides crime statistics to lawmakers, special interest groups, the media, researchers and the public. These statistics determine the scope and extent of crime that is occurring in Kansas. Decision making is influenced by these numbers so they must be accurate and timely.

4. KIBRS data can also be used for crime analysis. Access is provided to the KIBRS database through a set of queries that are available on the KCJIS Web Portal. But in order for the data to be used successfully it must be timely and accurate.

Not only is participation in KIBRS mandatory it is necessary. And even though state statute only requires agencies to submit data on the standard forms, agencies should be working towards electronic reporting by either interfacing their local RMS to the KIBRS Gateway or using the KCJIS KIBRSLE application. The KBI does not have enough staff to maintain timely data entry of paper submissions. As a result, agencies that are submitting electronically will have their data submitted to NIBRS on a more timely basis than agencies submitting paper. Submitting by hard copy will eventually effect an agency's eligibility for grant funding at both a federal and state level because of the significant delay in processing at the KBI.

KCJIS WEB PORTAL IN TEST PRODUCTION AT KBI

On July 26, 2001 Analysts International, Inc. installed the new KCJIS Web Portal on the KBI test production server. The web portal is designed to allow secure Internet access to criminal justice data residing at multiple agencies. The portal features a master search engine and a robust name search algorithm for locating records wherever they reside. KBI staff is currently testing the web portal for functionality. The portal is expected to be in production by early September.

Please contact Ron Rohrer at KBI for more information about the KCJIS Web Portal, 785-368-6437, or ron.rohrer@kbi.state.ks.us.

FAQ

Q. Our city administration has created a centralized mail room operation that receives and distributes letters and documents for all city agencies, to include our Police Department. That means that the civilian clerks in this mailroom are opening the USPS mail addressed to the PD. Is this appropriate?

A. From the point of view of dissemination of criminal history record information, this presents a problem.

Pursuant to K.S.A. 21-4707, the Kansas Central Repository of criminal history at the KBI or local law enforcement agencies may not disseminate criminal history record information except in strict accordance with laws and rules and regulations adopted. The KBI has adopted rules and regulations relating to dissemination which state that non-conviction criminal history record information (arrests, expungements, diversion or juvenile offender data) can ONLY be disseminated to other criminal justice agencies. The public is only entitled to conviction information.

Therefore, the Central Repository may disseminate non-conviction information to the Police Department but not to the City. Dissemination is technically occurring twice in this situation, and that is not permissible. A city employee has access to all confidential information relating to criminal history information for an individual by simply

(See Page 7, FAQ)

(Continued from Page 6, FAQ)

opening the mail addressed to the Police Department. This access is improper and should be discontinued immediately.

Other items of mail sent to the city police department could also include criminal investigative information (reports, interviews or forensic lab reports). This information is strictly confidential and is not available to the public under the Kansas Open Records Act. Access to this information by a city employee outside of the Police Department could jeopardize an ongoing criminal investigation.

Q. What is the status of last year's law requiring school districts to conduct fingerprint-based record checks on new employees?

A. The provision of that law (K.S.A. 72-8202f) requiring the record checks expired on June 30th. However, public schools can continue to check applicants for employment under the provisions of the National Child Protection Act. Information and instructions were mailed to all school board presidents earlier this summer, and many school districts have opted to continue the checks.

Q. Our Police Department gets occasional questions from persons wanting to get a copy of their Kansas criminal history. What are the rules for obtaining your own Rap Sheet?

A. To obtain all the information contained in a person's criminal history, the person must report in person to the KBI. Fingerprints are taken to ensure proper identification and the person is then permitted to review the contents of his/her criminal history file.

Q. Our local Armed Forces Recruiting Office has sent prospective enlistees to our Records Section to obtain copies of their criminal records or statements that they have no record. Is this proper?

A. While there is nothing wrong with the recruiter checking local sources for criminal records, there is a better procedure. The recruiter should be directed to the Central Repository where an account can be established. The record check will also be statewide, not just local.

Q. Is the recruiter entitled to the same type of criminal history as a criminal justice user?

A. No. A record check for enlistment into the Armed Forces is considered a non-criminal justice purpose. The only information included in a Rap Sheet for this purpose will be adult conviction data. A criminal justice agency requesting a Rap Sheet for a criminal justice purpose (such as a criminal investigation or a pre-sentence investigation) will be given adult conviction data as well as non-conviction, expungement and juvenile offender data.

Q. Is it appropriate for the recruiter to direct the enlistee to get his or her own criminal history record and give it to the recruiter?

A. No. While that is convenient for the recruiter, it is against the law in Kansas. K.S.A. 22-4710 prohibits an employer from requiring a prospective employee to obtain his/her own criminal history record. The reason that this is illegal is because the employee will be given ALL criminal history data in his/her record, and that would give the employer improper access to expungements, non-convictions and juvenile offender data.

Q. Can a County Attorney conduct an III name check on persons in a household for a Child-in-Need-of-Care (CINC) placement?

A. No, not under the OLD rules for III checks, because CINC placement is not a criminal justice purpose. However, there has recently been a change to the federal rules for use of the III database that WILL permit name checks for emergency placements when a fingerprint submission follows within a few days of the name check. The FBI has just released information on this new procedure and the KBI will communicate the details to Kansas Social and Rehabilitation Services (SRS).

Q. Can the County Attorney conduct a name check of the Kansas Central Repository for the above-mentioned CINC placement?

A. Yes. This use of criminal history records is supported by K.A.R. 10-12-2.

Q. Will the County Attorney be given Kansas's juvenile offender information in the above-mentioned CINC placement?

(See Page 8, FAQ)

(Continued from Page 7, FAQ)

A. Yes. The dissemination of juvenile offender data for this purpose is permitted by K.S.A. 38-1618(e).

Q. What is the most common name in the world?

A. Mohammed.

(Continued From Page 1, **Criminal History**)

By the end of the year the new database will be interfaced to AFIS, the KCJIS Message Switch, and the KCJIS Web Portal. These interfaces will then support direct access to criminal history information by local agencies and links to the Interstate Identification Index (III) and the FBI Integrated Automated Fingerprint Identification System (IAFIS). During this same period the KBI will be working with the Information Network of Kansas (INK) to install a fee based public access system.

Questions concerning the new criminal history system can be directed to Assistant Director Chuck Sexson at 785-291-3029, chuck.sexson@kbi.state.ks.us; or SAC Dave Sim at 785-296-8265, dave.sim@kbi.state.ks.us.